

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>9/23/24</u>
--

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	x	
	:	
UNITED STATES OF AMERICA	:	
	:	CONSENT ORDER OF
- v. -	:	<u>RESTITUTION</u>
	:	
RICARDO CRUZ,	:	S1 24 Cr. 306 (GHW)
	:	
Defendant.	:	
-----	x	

Upon the application of the United States of America, by its attorney, Damian Williams, United States Attorney for the Southern District of New York, Assistant United States Attorney Remy Grosbard, of counsel; the presentence report; the Defendant's conviction on Count Two of the above-referenced Indictment; and all other proceedings in this case, and upon the consent of RICARDO CRUZ (the "Defendant"), by and through his counsel, Michael Bachrach, Esq., and upon consideration of the factors set forth in Title 18, United States Code, Section 3664(f)(2), it is hereby ORDERED that:

1. Amount of Restitution. RICARDO CRUZ, the Defendant, shall pay restitution in the total amount of \$40.00 in United States currency to the victim of the offense charged in Count Two of the Indictment. The name, address, and specific amount owed to the victim is set forth in the sealed Schedule of Victims attached hereto. Upon advice of a change of address, the Clerk of the Court is authorized to send payments to the new address without further order of this Court.

2. Joint and Several Liability. Restitution shall be joint and several with co-defendant Adam Marrero ("Marrero"), indicted under *United States v. Marrero*, 24 Cr. 306 (GHW). Defendant's liability for restitution shall continue unabated until either the Defendant has

paid the full amount of restitution ordered herein, and the victim has been paid the total amount of his loss from all the restitution paid by the Defendant and Marrero.

3. Schedule of Payments. Pursuant to 18 U.S.C. § 3664(f)(2), in consideration of the financial resources and other assets of the Defendant, including whether any of these assets are jointly controlled; projected earnings and other income of the Defendant; and any financial obligations of the Defendant; including obligations to dependents, the Defendant shall pay restitution in the manner and according to the schedule that follows: The total amount of restitution is due and payable immediately pursuant to 18 U.S.C. § 3572(d)(1) upon entry of this judgment.

4. Payment Instructions. The defendant shall make restitution payments by certified check, money order, or online. Instructions for online criminal debt payments are available on the Clerk of Court's website at <https://nysd.uscourts.gov/payment-information#PaymentofCriminalDebt>. Checks and money orders shall be made payable to the "SDNY Clerk of Court" and mailed or delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The defendant shall write his name and the docket number of this case on each check or money order.

5. Change in Circumstances

The defendant shall notify, within 30 days, the Clerk of Court, the United States Probation Office (during any period of probation or supervised release), and the United States Attorney's Office, 86 Chambers Street, 3rd Floor, New York, New York 10007 (Attn: Financial Litigation Program) of (1) any change of the defendant's name, residence, or mailing address or (2) any material change in the defendant's financial resources that affects the defendant's ability to pay

restitution in accordance with 18 U.S.C. § 3664(k).


5. Term of Liability

The defendant's liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the defendant's release from imprisonment, as provided in 18 U.S.C. § 3613(b). Subject to the time limitations in the preceding sentence, in the event of the death of the defendant, the defendant's estate will be held responsible for any unpaid balance of the restitution amount, and any lien filed pursuant to 18 U.S.C. § 3613(c) shall continue until the estate receives a written release of that liability.

6. Sealing. Consistent with Title 18, United States Code, Sections 3771(a)(8) and 3664(d)(4) and Federal Rule of Criminal Procedure 49.1, to protect the privacy interests of the victim, the Schedule of Victims attached hereto shall be filed under seal, except that copies may be retained and used or disclosed by the Government, the Clerk's Office, and the Probation Department, as need be to effect and enforce this Order, without further order of this Court.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York


By: 
REMY GROSBARD
One Saint Andrew's Plaza
New York, NY 10007
Tel.: (212) 637-2446

9/13/2024
DATE

RICARDO CRUZ

By: 
RICARDO CRUZ

9/20/24
DATE

By: 
MICHAEL BACHRACH, ESQ.
Attorney for Defendant
224 West 30th Street, Ste. 302
New York, NY 10001
(212) 929-0592

9/23/24
DATE

SO ORDERED:


HONORABLE GREGORY H. WOODS
UNITED STATES DISTRICT JUDGE

September 23, 2024
DATE